

the Congress. The process entails many emotional highs and lows, and often requires our full attention to educate others with the issues that confront our fellow Americans in the territories.

The Guam Omnibus Opportunities Act is important legislation for Guam and good policy for the United States. Of all the territories, Guam has historically played a strategic role in the planning of our national defense. However, the ending of the Cold War and our shifting defense strategy has caused much of the military land owned in Guam to become excess, as it has also downsized military activities across our Nation.

Mr. Speaker, H.R. 2462 sets out a process so that Guam can have the right of first refusal for the return of future excess Federal land in Guam. Taking into consideration the island's limited and precious resources, this new policy will provide opportunities for Guam to maximize the use of these lands that have been in Federal control for the past 5½ decades.

Mr. Speaker, this is good legislation for the people of Guam, and I again congratulate the gentleman from Guam (Mr. UNDERWOOD) for his tireless work in getting this measure to the floor. I urge full support from my colleagues.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

I just want to commend the gentleman from Guam (Mr. UNDERWOOD) who has spent a considerable amount of time working out all of the difficulties with this legislation in bringing the parties together.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2462.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. HANSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### CORRECTING ENROLLMENT OF S. 1474, PALMETTO BEND CONVEYANCE ACT

Mr. HANSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 156) to make a correction in the enrollment of the

bill, S. 1474, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate concurrent resolution as follows:

S. CON. RES. 156

*Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1474) entitled "An Act providing for conveyance of the Palmetto Bend project to the State of Texas.", the Secretary of the Senate shall make the following correction:*

*In section 7(a) insert "not" after "shall".*

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1653, H. Con. Res. 434, H.R. 4020, H.R. 5461, S. 2020, and H.R. 2462, the 6 bills just debated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

#### EXPORT ADMINISTRATION MODIFICATION AND CLARIFICATION ACT OF 2000

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5239) to provide for increased penalties for violations of the Export Administration Act of 1979, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

*Section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419) is amended by striking "August 20, 1994" and inserting in lieu thereof "August 20, 2001".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

#### GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5239.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, this Member rises in support of H.R. 5239, the Export Administration Modification and Clarification Act of 2000, which provides for a short-term extension of the Export Administration Act, EAA, through August 20, 2001.

For the past 6 years, the provisions of the EAA have been kept in force through the provisions of the International Emergency Economic Powers Act, known as IEEPA. When the EAA lapsed in 1994, the President kept the export administration regulations in force by Executive Order under emergency authority under IEEPA, as has been done in the past.

Enactment of this measure is intended to reauthorize the existing EAA for a short period of time, thereby permitting the Congress to fashion a comprehensive rewrite of this 21-year-old statute.

□ 1445

The EAA currently establishes export licensing policy for items detailed on the Commerce Control list. The list provides specifications for close to 2,400 dual-use items, including equipment and software likely to require some type of license.

Mr. Speaker, this Member would point out to his colleagues that the other body has modified the text of the bill which originated in this Chamber since the lapse of the Export Administration Act in August of 1994, would have retroactively provided the Department of Commerce with authority to keep licensing information confidential under provisions of section 12(c) of that act.

Under the provisions of this measure, the Department of Commerce will be able to protect licensing information from the date of enactment through August 20, 2001. It also provides for higher fines for criminal and/or administrative sanctions against the individuals or companies found to be in violation of export control regulation.

This Member would further point out to his colleagues that while the original text of this Chamber's bill had included even higher fines, the measure before this body today will still provide higher fines than those currently authorized under IEEPA.

In short, this measure provides a much-needed stopgap authority for export control officials at the Commerce Department.

Mr. Speaker, these are good reasons in this Member's judgment why this measure deserves the support of our colleagues. Therefore, this Member urges adoption of H.R. 5239.

Mr. Speaker, I reserve the balance of my time.

Ms. LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this bill. The Export Administration Act has been the principal authority for the regulation in the export of dual-use items from the United States. When this bill lapsed in August of 1994,

the President invoked the International Emergency Economic Powers Act, and other authorities, to continue the export control system, including the Export Administration Regulations.

Now, there has been a recent court ruling that calls into question whether or not the government can essentially hide behind emergency powers to revive an expired law. Specifically, the case calls into question the Commerce Department's ability to keep sensitive export information provided by exporters from public disclosure using the confidentiality provision.

We have got to pass this law to make sure that they can keep the information confidential so that the exporters will fully use the Commerce Department's assistance in exporting our products. We really do have a record trade imbalance. We need to export more. Exporting American products creates jobs for American workers.

We need to pass this law as an important part of making sure that the Commerce Department is there to provide as much assistance as possible in moving products overseas.

While we would have preferred the House-passed version, the Senate amendment we are taking up today does address this problem. It reauthorizes the Export Administration Act until October 20, 2001. By doing so, it will ensure that the Department of Commerce will be able to rely on the Export Administration Act to protect the confidentiality of the relevant documents received since 1994, as well as the documents that the Commerce Department receives between now and August 20 of next year.

Mr. Speaker, for that reason we fully concur that this bill should be passed. I urge my colleagues to support H.R. 5239.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in support of this legislation which serves to reauthorize the Export Administration Act and extend its authority over the regulation of exports of dual-use items.

This bill underscores the confidentiality provisions of the EAA and thus helps to ensure the Commerce Department's ability to keep sensitive export information confidential. For over six years, the U.S. has been operating under International Emergency Economic Powers Act rendering itself vulnerable to legal challenges. This bill helps to protect the government against these legal challenges.

Unfortunately, the legislation before us does not provide changes to our system of export controls—changes needed to address current global realities. However, it does serve to underscore the importance of the EAA and the need to have an efficient framework for the administration of export controls.

Throughout the last few years, the Subcommittee on International Economic Policy and Trade, which I chair, has held numerous sessions to investigate the areas of EAA which need reforming or re-writing. We have evaluated legislation and have approved smaller efforts to correct flaws in the current export control process.

However, more progress needs to be made if we are to bring the EAA out of the Cold War and into the present.

I hope this bill will serve as the foundation for failure legislative action by both Chambers toward the realization of this important goal.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 5239, the "Export Administration Modification and Clarification Act of 2000" which provides for a simple extension of the Export Administration Act through August 20, 2001. For the past six years, its authorities have been kept in force through the provisions of the International Emergency Economic Powers Act.

Enactment of this measure is intended to reauthorize the existing EAA for a short period of time thereby permitting the Congress to fashion a comprehensive rewrite of this 21 year old statute.

I would point out, however, that the Senate has modified the text of the House bill which, since the lapse of the Export Administration Act in August of 1994, would have retroactively provided the Department of Commerce with authority to keep licensing information confidential under the provisions of Section 12(c) of that Act.

By adopting the Senate version of this legislation, the Congress is leaving to the courts the question whether, or to what extent, the provisions of the Export Administration Act of 1979 were extended by authorities granted under IEPPA after the expiration of the EAA in 1994.

We can say, however, with certainty that under the provisions of this measure, the Department of Commerce will be able to protect licensing information from the date of enactment through August 20, 2001.

It also provides for higher fines for criminal and or administrative sanctions against individuals or companies found to be in violation of export control regulations.

And I further point out to my colleagues that while the original text of the House bill had included even higher fines, the measure before the House today will still provide higher fines than those currently authorized under IEPPA.

In short, this measure provides a much needed stop-gap authority for our export control officials at the Commerce Department.

These are, I believe, good reasons why this measure deserves the support of all of my colleagues.

Ms. LEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEREUTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and concur in the Senate amendment to H.R. 5239.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

# VOICING CONCERN ABOUT SERIOUS VIOLATIONS OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN MOST STATES OF CENTRAL ASIA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 397) voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial noncompliance with their Organization for Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections, as amended.

The Clerk read as follows:

H. CON. RES. 397

Whereas the states of Central Asia—Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan—have been participating states of the Organization for Security and Cooperation in Europe (OSCE) since 1992 and have freely accepted all OSCE commitments, including those concerning human rights, democracy, and the rule of law;

Whereas the Central Asian states, as OSCE participating states, have affirmed that every individual has the right to freedom of thought, conscience, religion or belief, expression, association, peaceful assembly and movement, freedom from arbitrary arrest, detention, torture, or other cruel, inhuman, or degrading treatment or punishment, and if charged with an offense the right to a fair and public trial;

Whereas the Central Asian states, as OSCE participating states, have committed themselves to build, consolidate, and strengthen democracy as the only system of government, and are obligated to hold free elections at reasonable intervals, to respect the right of citizens to seek political or public office without discrimination, to respect the right of individuals and groups to establish in full freedom their own political parties, and to allow parties and individuals wishing to participate in the electoral process access to the media on a nondiscriminatory basis;

Whereas the general trend of political development in Central Asia has been the emergence of presidents far more powerful than other branches of government, all of whom have refused to allow genuine electoral challenges, postponed or canceled elections, excluded serious rivals from participating in elections, or otherwise contrived to control the outcome of elections;

Whereas several leaders and governments in Central Asia have crushed nascent political parties, or refused to register opposition parties, and have imprisoned and used violence against, or exiled, opposition figures;

Whereas in recent weeks fighting has erupted between government troops of Kyrgyzstan and Uzbekistan and members of the Islamic Movement of Uzbekistan;

Whereas Central Asian governments have the right to defend themselves from internal and external threats posed by insurgents, radical religious groups, and other anti-democratic elements which employ violence as a means of political struggle;

Whereas the actions of the Central Asian governments have tended to exacerbate these internal and external threats by domestic repression, which has left few outlets for individuals and groups to vent grievances or otherwise participate legally in the political process;

Whereas in Kazakhstan, President Nursultan Nazarbaev dissolved parliament in 1993 and again in 1995, when he also annulled